IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

THURSDAY, THE 28TH JUNE 2007 / 7TH ASHADHA 1929

OP.No. 32535 of 2001(W)
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PETITIONER:
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K.SIVARJUNAN PILLAI, FOREST GUARD,
K.V.T.P. RANGE -I, ACHANKOVIL (KALLAR RANGE).

BY ADV. SRI.B.RAGUNATHAN
SRI.V.V.MATHEW
SRI.G.GOPALAKRISHNA PILLAI

RESPONDENTS:
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1. STATE OF KEALA REPRESENTED BY
SECRETARY TO GOVERNMENT, FOREST AND WILD
LIFE DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM 695 001.

2. PRINCIPAL CHIEF CONSERVATOR OF FORESTS,
THIRUVANANTHAPURAM 695 014.

3. CHIEF CONSERVATOR OF FORESTS (PROTECTION),
THIRUVANANTHAPURAM 695 014.

4. CHIEF CONSERVATOR OF FORSTS (ADMINISTRATION)
THIRUVANANTHAPURAM 695 014.

5. DIVISIONAL FORESTS OFFICER,
ACHANKOVIL.

6. DIVISIONAL FORSTS OFICER, CHALAKUDI.

7. SHRI.B.SUDHAKARAN PILLAI, DIVISIONAL
FORESTS OFFICER, KALADY.

BY GOVT. PLEADER SMT.T.B.RAMANI

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 28/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP NO.53035 OF 2001 IN OP NO.32535 OF 2001 W

//DISMISSED//

28.06.2007. SD/- THOTTATHIL B.RADHAKRISHNAN, JUDGE.

**APPENDIX**

**PETIITONER'S EXHIBITS**:

EXT.P1: TRUE COPY OF ORDER NO.E 99/93 DTD. 14.5.98 OF 5TH RESPONDENT.

EXT.P2: TRUE COPY OF THE APPEAL PETITION DTD.20.8.98.

EXT.P3: TRUE COPY OF G.O.(RT) NO.343/2001/FOREST DTD.21.8.2001.

/TRUE COPY/

**THOTTATHIL B.RADHAKRISHNAN, J.**

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O.P.No.32535 OF 2001

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Dated this the 28th day of June, 2007

**JUDGMENT**

Petitioner, a Forest Guard, was issued a show cause notice on counts of indiscipline in 1993. This led to Ext.P1 order dated 14.5.1998, removing him from service, with effect from 11.11.1993. By Ext.P3, the Government set aside that order and remitted the disciplinary proceedings for enquiry, de novo, following Rule 15 of the Kerala Civil Services (Classification, Control and Appeal) Rules. This writ petition is filed on 29.10.2001, two days prior to the date of superannuation of the petitioner. The counter affidavit shows that on 31.10.2001, following Ext.P3, a notice of hearing was issued to the petitioner. It is admitted by the petitioner that he got that notice (Ext.P4) on 3.11.2001. Under such circumstances, all that remains is to conclude the disciplinary proceedings in accordance with law, following the procedure under Rule 15 of KCS (CC and A) Rules, as expeditiously as possible, so that the accounts to be settled between the parties could be finally settled without delay.

2. In the result, it is directed that the proceedings pursuant to Ext.P3 shall be completed within an outer limit of four months from the date of receipt of a copy of this judgment. The petitioner shall co-operate with such proceedings. No other directions are called for as of now.

The writ petition is disposed of as above.

Sd/-

**THOTTATHIL B.RADHAKRISHNAN**
**Judge**

kkb.

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THOTTATHIL B. RADHAKRISHNAN, J

O.P.NO.32535 OF 2001

JUDGMENT

28TH JUNE, 2007.

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